

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

_____)	
IRON MOUNTAIN INCORPORATED;)	
IRON MOUNTAIN INFORMATION)	
MANAGEMENT, INC.; C. RICHARD)	
REESE; JOHN F. KENNY, JR.; GARRY)	
B. WATZKE; LARRY L. VARN; and)	Civil Action
CHARLES G. MOORE,)	No. 05 10890 RCL
)	
Plaintiffs,)	
)	
v.)	
)	
THOMAS CARR,)	
)	
Defendants.)	
_____)	
IRON MOUNTAIN INFORMATION)	
MANAGEMENT, INC.,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No.
)	05 10999 RCL
SYSTRANS FREIGHT SYSTEMS, INC.,)	
)	
Defendant.)	
_____)	

INDIVIDUAL PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT

Plaintiffs and Counterclaim-Defendants C. Richard Reese (“Reese”), John F. Kenny, Jr., Garry B. Watzke, Larry L. Varn (“Varn”), and Charles G. Moore (collectively, the “Individual Plaintiffs”), by their attorneys, Sullivan & Worcester LLP, hereby move for summary judgment against Defendant and Counterclaim-Plaintiff Thomas Carr (“Carr”). The Individual Plaintiffs submit that there are no disputed issues of material fact remaining in this case and they are entitled to judgment as a matter of law. Therefore, the Individual Plaintiffs respectfully request

that the Court: (i) grant the Individual Plaintiffs' motion for summary judgment; (ii) enter a declaration that none of the Individual Plaintiffs has any contractual or other legal obligation to Carr; and (iii) dismiss Carr's counterclaim for breach of contract against Reese and Varn.

In support of this motion, the Individual Plaintiffs rely upon and incorporate herein by reference their Statement of Undisputed Material Facts Pursuant to Local Rule 56.1, the Declaration of Ira K. Gross (with exhibits)¹ and the Individual Plaintiffs' Memorandum of Law in Support of their Motion for Summary Judgment.

REQUEST FOR ORAL ARGUMENT

The Individual Plaintiffs request oral argument.

Dated: June 21, 2007

Respectfully submitted,

**C. RICHARD REESE; JOHN F. KENNY,
JR.; GARRY B. WATZKE; LARRY L.
VARN; AND CHARLES G. MOORE**

By their attorneys,

/s/ Ira K. Gross
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Certification Pursuant to Local Rule 7.1

Counsel for Plaintiffs hereby certifies that he contacted counsel for Defendant and attempted in good faith to narrow or resolve the issues raised in this motion. Counsel for Defendant would not agree to the relief requested in this motion.

/s/ Kevin M. Colmey

¹ The Statement of Undisputed Material Facts and the Declaration of Ira K. Gross (with exhibits) were submitted by Plaintiffs Iron Mountain Incorporated and Iron Mountain Information Management, Inc. in support of their Motion for Summary Judgment.

Certificate of Service

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non registered participants on June 21, 2007.

/s/ Kevin M. Colmey